



**MATERIALS**  
**FOR**  
**CANADIAN COMPETITION POLICY**

**PROFESSOR MICHAEL TREBILCOCK**  
**and RALPH WINTER**

**VOLUME II**

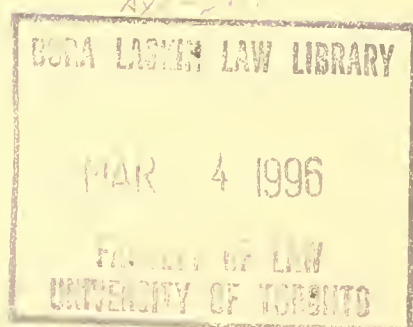
**1995**

**NOTE: THESE MATERIALS ARE NOT TO BE CONSIDERED  
PUBLISHED, AND THIS COMPILATION IS INTENDED  
SOLELY FOR TEACHING PURPOSES.**

**rev. May 30, 1995**  
**comp-pol.95**

Storage

1648  
1974  
1975  
v. 2



**MATERIALS**  
**FOR**  
**CANADIAN COMPETITION POLICY**

**PROFESSOR MICHAEL TREBILCOCK**  
**and RALPH WINTER**

**VOLUME II**

**1995**

**NOTE: THESE MATERIALS ARE NOT TO BE CONSIDERED  
PUBLISHED, AND THIS COMPILATION IS INTENDED  
SOLELY FOR TEACHING PURPOSES.**

**rev. May 30, 1995**  
**comp-pol.95**



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

## TABLE OF CONTENTS

## VOLUME II

## WEEK VI SINGLEFIRM CONDUCT: PREDATORY PRICING

John McGee, "Predatory Price Cutting: The Standard Oil (N.J.) Case", <u>JLE</u> , Oct. 1958, pp. 137-169. . . . .	VI-1
B. Dunlop, D. McQueen, and M. Trebilcock, <u>Canadian Competition Policy: A Legal and Economic Analysis</u> (Toronto: Canada Law Book, 1987) Chap. 8, pp. 207-247	VI-33
<u>Eddy Match Co. Ltd.et.al. v. The Queen</u> (1953) 109 C.C.C. 1 .	VI-74
<u>Regina v. Hoffmann-LaRoche Ltd</u> (1980) 28 O.R. (2d) 164 (edited) . . . . .	VI-87
<u>Predatory Pricing Enforcement Guidelines</u> , Director of Investigation and Research <u>Competition Act</u> (1992) . . . . .	VI-114

## WEEK VII SINGLEFIRM CONDUCT: PRICE DISCRIMINATION

Hal R. Varian, "Price Discrimination", <u>Handbook of Industrial Organization</u> V. 1., R. Schmalensee and R.D. Willig (eds.) (1989) . . . . .	VII-1
<u>Price Discrimination Enforcement Guidelines</u> , Consumer and Corporate Affairs Canada, <u>Competition Act</u> (1992) . . . . .	VII-30
<u>Utah Pie Company v. Continental Banking Company et al.</u> (1967) 87 SCt 1326 . . . . .	VII-64

## WEEK VIII COMPETITION POLICY AND INTELLECTUAL PROPERTY

Nancy Gallini and Michael Trebilcock, <u>Competition Policy and Intellectual Property Rights</u> , (1995) (draft) . . . . .	VIII-1
---	--------

Department of Justice, "Antitrust Guidelines for the Licensing and Acquisition of Intellectual Property", (1994) (draft) . . . . .	VIII-63
--	---------

## WEEK IX ABUSE OF DOMINANT POSITION

<u>Director of Investigation and Research v. Nutrasweet Co.</u> , (1990) 62 C.P.R. (3d) 1 (edited) . . . . .	IX-1
Bruce Graham, "Abuse of Dominance - Recent Case Law: <u>Nutrasweet and Laidlaw</u> ", (1993) 38 McGill Law Journal pg 800 . . . . .	IX-59
A. Neil Campbell, J. William Rowley and Michael J. Trebilcock, "The Role of Monopoly Laws in the International Trading System", (1995) Symposium on Competition Policy in a Global Economy . . . . .	IX-79

## WEEK X VERTICAL RESTRAINTS THAT AFFECT INTRABRAND COMPETITION: RESALE PRICE MAINTENANCE AND REFUSAL TO DEAL

### (a) General

Mathewson, G.F. and R.A. Winter, "An Economic Theory of Vertical Restraints", in M. Mathewson, M. Trebilcock, and M. Walker (eds.), <u>The Law and Economics of Competition Policy</u> , (Vancouver: The Fraser Institute, 1990), chap. 5, pp.109-141 . . . . .	X-1
Roger Ware, "Understanding Raising Rivals' Costs: A Canadian Perspective", Canadian Competition Policy Record 1994 . . . . .	X-13

(b) Resale Price Maintenance

Edward Iacobucci, "The Case for Prohibiting Resale Price Maintenance" (1995) (unpublished) . . . . . X-24

(c) Refusal to Deal

Rowley, J.W. and A.N. Campbell, "Refusal to Deal (with Economics)", McMillan Binch, prepared for Symposium on Recent Developments in Canadian Competition Law, U. of Toronto, Dec. 15, 1992 . . . . . X-92

Benjamin Klein, "Market Power in Antitrust: Economic Analysis after Kodak", (unpublished) . . . . . X-119

## **WEEK XI VERTICAL RESTRAINTS THAT AFFECT INTERBRAND COMPETITION: EXCLUSIVE DEALING AND TYING**

William Comanor and H.E. Frech, "The Competitive Effects of Vertical Agreements?" (1985) 75 American Economic Review 539 . . . . . XI-1

Frank Mathewson and Ralph Winter, "The Competitive Effects of Vertical Agreements: Comment", (1987) 77 American Economic Review 1057 . . . . . XI-8

Michael Trebilcock, The Common Law of Restraint of Trade pp. 370-382 . . . . . XI-14

Director of Investigation and Research v. Bombardier Ltd (1980) 53 C.P.R. (2d) 47 (edited) . . . . . XI-21

R.T.P.C. D.I.R. v. BBM Bureau of Measurement, (1981) 60 C.P.R. (2d) 26 . . . . . XI-35



## WEEK XII      THE PAST AND FUTURE OF COMPETITION POLICY

- Herbert Hovenkamp, "Antitrust Policy after Chicago", 84  
MLR, Nov. 1985, pp. 213-284. . . . . XII-1
- Richard Schmalensee, "Antitrust and the New Industrial  
Economics", AER, May, 1982, pp. 24-28 . . . . . XII-38
- Harold Demsetz, "How Many Cheers for Antitrust's 100  
Years? 30 Economic Inquiry, April 1992, pp. 207-218 . . . XII-43
- Michael Trebilcock, "Competition and Trade Policy:  
Mediating the Interface" (1995) (draft) . . . . . XII-54

## SUPPLEMENT

### THE COMPETITION ACT